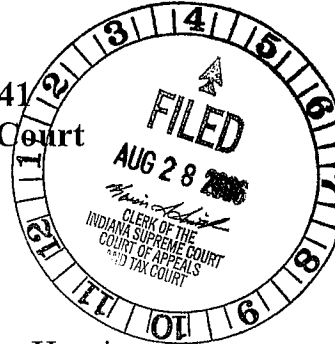


**In the
Indiana Supreme Court**

KEYBANK NATIONAL ASSOCIATION)	Supreme Court No. 35S00-0606-SJ-226
)	
vs.)	
)	Case No. 35C01-9910CP-441
FRICITION MATERIAL COMPANY, INC.)	in the Huntington Circuit Court



ORDER APPOINTING SPECIAL JUDGE

Comes now the Honorable Thomas M. Hakes, Judge Pro Tempore of the Huntington Circuit Court, and on his own motion recuses himself and remands this cause to the Court for appointment of a special judge.

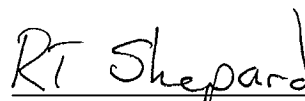
And this Court, being duly advised, now finds that a special judge should be appointed to hear this matter in the Huntington Circuit Court pursuant to Ind.Trial Rule 79(H).

IT IS, THEREFORE, ORDERED that the Honorable David Avery is appointed as special judge to hear this matter in the Huntington Circuit Court. This order vests jurisdiction in Judge Avery. Pursuant to Ind.Trial Rule 79(K), an oath of office is not required.

The Clerk of this Court is directed to forward notice of this Order to the Hon. Thomas M. Hakes, Huntington Circuit Court, 201 North Jefferson Street, #301, Huntington, IN 46750-2800; to the Hon. David Avery, Allen Superior Court, 715 South Calhoun Street, #319, Fort Wayne, IN 46802-1805; to the Clerk of the Huntington Circuit Court; and to post this Order on the Court's website for judicial orders concerning special judges.

The Clerk of the Huntington Circuit Court is directed to forward notice of this Order to all parties of record in the case below.

DONE at Indianapolis, Indiana, this 28th day of August, 2006.



Randall T. Shepard
Chief Justice of Indiana